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March 15, 2023

VIA ECF

Hon. Denise L. Cote, U.S.D.J.
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Granted.

Denise Cote
3/15/23

Re: *S.E.C. v. Rosenberger, et al.*, Case No. 22-cv-4736-DLC-SLC

Dear Judge Cote:

We write on behalf of Karen Rosenberger, with the consent of Joanna Lanni and the SEC, to request permission to take one third-party deposition after the close of fact discovery to accommodate the deposition witness's schedule.

The fact discovery deadline is April 7, 2023. On March 7, 2023, we noticed the deposition of Alison Yablonowitz, a former EY partner who worked on the 2015 audit of Synchronoss, to take place on March 28, 2023. Counsel for Ms. Yablonowitz then informed us that she is unavailable to sit for a deposition on March 28, 2023 or on any other day during the fact discovery period due to work and childcare obligations, as well as her religious observance of Passover. Therefore, to accommodate the witness, we have proposed the first available date that works for counsel and the witness—April 24, 2023.

This request will not change any deadlines in the Pretrial Scheduling Order. The SEC consents to this request upon the defendants' agreement (i) that the SEC may supplement its expert reports with information subsequently discovered during Ms. Yablonowitz's deposition and (ii) that Ms. Yablonowitz's deposition may need to be further rescheduled if the SEC's counsel is required to appear for jury duty on April 24.

We appreciate Your Honor's attention to this request and are available at Your Honor's convenience should the Court wish to discuss this request.

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Respectfully submitted,

/s/ Jenny Kramer

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